



# Contractor Procedures and Performance Expectations

Projects differ greatly in size, terrain, access, and vegetative density. Contractors (or their representatives) are encouraged to personally visit each project site before offering bids.

## **Site visits and bidding procedures**

The landowner will work with the wildlife biologist who administers the habitat agreement to design the project in concert with wildlife habitat needs and the landowner's management objectives. The landowner will send out bid packets containing the project information to contractors that he or she selects, and/or will post the project information on this website. The bid packet will specify a site inspection date and time for interested contractors to view the project area and ask questions. Contractors who are unable to attend the bid inspection on the scheduled date may contact the landowner to arrange for an alternative on-site visit prior to bidding on a project.

The bid packet includes legal description, a summary of the project, aerial photographs with project plans on them, acreage measurements, cutting and/or burning specifications, and a bid form. Project specifications include dates and conditions when work may be conducted. Contractors may not work outside of these dates and conditions without written approval from both the landowner and the biologist responsible for administering the habitat agreement.

After the bid inspection, contractors usually have about a week to prepare and submit a bid to the landowner, using the bid form and instructions included in the bid packet. Bids received after the deadline listed in the bid packet will not be considered.

Because each project is unique, bids must be calculated on a "per project" or "per unit" basis, NOT on a "per hour" or "per acre" basis. For contractors unfamiliar with this process, we suggest that you look over the site, estimate the hours the project will take, and calculate the total cost for the project or for each unit. Bids must be based upon the specifications listed in the bid package.

## **Bid selection procedures**

After receiving the bids, the landowner will consult with the wildlife biologist/project administrator, who will make recommendations based on the bid amount, contractor availability, and previous performance of the contractor in meeting project specifications. Contractors who do good work on one project will increase their odds of getting future projects.

Program regulations require the payment rate to be calculated on the lowest bid received. However, the landowner may hire another contractor to do the work, with the understanding that if the contractor with the lowest bid is not chosen, the landowner will be responsible for any difference in cost between the chosen contractor's cost and the lowest bid. The landowner will award the project to a contractor and notify the other bidders that they were not selected.

**NOTE:** Although cost is an important factor, contractor availability and previous performance are also very important. If you are consistently among the lowest bidders, do timely work, and meet or exceed

project specifications, you will be awarded projects. If you always bid high, take too long on projects, or do poor work, you will likely have to look elsewhere for projects.

### **Timeliness of Project Completion and Timing Restrictions**

The selected contractor is expected to begin work in a timely manner within the project specifications. Due to restrictions of the Migratory Bird Treaty Act, all tree removal work must be conducted before May 1<sup>st</sup> or after July 15<sup>th</sup> within each calendar year. This is done to prevent destruction of bird nests during the nesting season. On some project sites, the dates may need to be more restrictive, as certain species associated with certain habitats may nest at different times. Project descriptions listed in the bid package will specify the dates during which each individual project may be completed. Contractors and their employees should take care to avoid damaging bird nests. If nests are noticed during a project, the contractor must advise the project biologist, who will visit the project site to determine if the nests are active and if the trees can be removed. Please work with us on this.

On projects involving more than one funding agency (i.e. NRCS or USFWS) that have conflicting date restrictions, contractors will be required to adhere to the most restrictive time limits. These dates will be specified in the habitat agreement and in the project specifications.

**TIMELINESS:** Habitat project administrators have a pretty good idea of how long projects should take. While there will be circumstances that make a project take longer (equipment problems, weather delays, etc.), contractors are expected to make every effort to complete projects in a timely manner.

### **Invoicing, billing and payment procedures**

Following the completion of a project or a project phase, the project biologist, partner staff, and the landowner will visit the site, preferably with the contractor or a representative of the contractor, to evaluate the project and determine if it has been completed satisfactorily. Any shortfalls must be remediated prior to initiating payment. Once this is done, the following steps are required for payment:

- Contractor submits an invoice to the landowner, including landowner name and mailing address, description of work completed and total cost, completion date, invoice date, and any other information contractor deems necessary.
- The landowner submits copy of the contractor invoice to the project administrator. Payment may take 4-6 weeks, depending on funding source.
- Landowner contributions are deducted from the total amount reimbursed to landowner.
- Payment will be made to the landowner, who will then make payment to the contractor.
- If there is NRCS involvement in the project, contractors should be aware of NRCS payment processes. These are handled separately from NGPC habitat agreements and questions about them may be directed to the landowner and/or NRCS.
- We will NOT accept invoices or make payments on partially completed projects, or on portions of projects unless agreed upon in advance by the project administrator and the landowner. Generally, small projects are expected to be fully completed prior to invoicing. Larger projects may be broken down into phases to accommodate time and cash flow considerations. If you have questions about this, ASK FIRST!